The Future of Policing the Mentally Ill

Identifying the Ideal Law Enforcement Candidate

Identifying and Combatting Organizational Leadership Toxicity
Instructions to Contributing Authors

The editor of the *Journal of California Law Enforcement* welcomes articles relevant to the area of law enforcement from its readers.

The following guidelines should be observed:

Articles should be submitted by e-mail to cseva@cpoa.org. Articles should be between 1000-3000 words. If longer, contact Cailin Seva. A short biographical sketch (3-4 sentences) and photograph of the author should be submitted with the article. The article should be written in APA style. Photographs can be in black and white or in color, but will be reproduced in black and white. We strongly recommend the use of graphs, charts, tables, illustrations, or photographs, which greatly enhance the article.

Authors will receive a complimentary copy of the *Journal of California Law Enforcement* in which their article appears and a letter of appreciation will be sent to the author’s department head.

Send articles to Cailin Seva, editor, *Journal of California Law Enforcement*, cseva@cpoa.org.
Executive Committee

President
MARK YOKOYAMA
Chief, Alhambra Police Department

1st Vice President
SCOTT JONES
Sheriff, Sacramento Co. Sheriff’s Department

2nd Vice President
DAVID MCGILL
Deputy Chief, Newport Beach Police Department

3rd Vice President
MITCH MCCANN
Chief, Simi Valley Police Department

Treasurer
JOE FARROW
Commissioner, California Highway Patrol

Immediate Past President
RICHARD LUCERO
Chief, Fremont Police Department

Executive Director
CAROL LEVERONI, CAE

This Journal of California Law Enforcement will be an agenda-setting publication for the law enforcement profession, providing a serious source of original thinking that will advance the performance of agencies and their leaders.

Opinions expressed in the Journal of California Law Enforcement are those of the authors. CPOA state board, appointees, staff and its membership does not endorse trademarked products mentioned in the Journal; their inclusion is solely at the discretion of the authors.

Editor
CAILIN SEVA
California Peace Officers’ Association

Articles Reviewed By
JEFF NOBLE
Journal Subcommittee Chair
Publications & Public Affairs Committee

The Journal of California Law Enforcement is published quarterly by the California Peace Officers’ Association. 555 Capitol Mall, Suite 1495, Sacramento, CA 95814

The annual paper subscription rate is $40 for CPOA members, $55 for nonmembers and $65 for overseas subscriptions. Digital rates can be found at CPOA.org
6. The Future of Policing the Mentally Ill: Will New Legislation Be the Catalyst and the Solution?  
Lieutenant Lola Abrahamian, Glendale Police Department

12. Identifying the Ideal Law Enforcement Candidate: The Use of Biological Profiling to Hire the Next Generation of Law Enforcement Professionals  
Deputy Chief Jon Lewis, Newport Beach Police Department

17. Identifying and Combatting Organizational Leadership Toxicity  
Colonel Steven R. (Randy) Watt  
Mitch Javidi, Ph.D.  
Anthony H. Normore, Ph.D.
In 2012, Adam Lanza carried approximately 30 pounds of weapons and ammunition into Sandy Hook Elementary School where he killed 20 children and teachers. It was later discovered that Lanza suffered from mental illness and had a fascination with mass shootings. Mental health care providers, though, were unable to predict his propensity for such violence. Although he had sought mental health care, he refused to take prescribed medication (Fox, 2013).

As was seen in Lanza’s case, there is no shortage of events involving the mentally ill. The horrible images burned into our memory often leave us asking if these incidents could have been prevented, or if there is a better way. The number of individuals with mental health issues seems to be increasing and yet the availability of mental health treatment and the ability to intervene seems inadequate. Oftentimes, this means the criminal justice system becomes the default mental health system when those struggling with mental illness act out in a criminal way. While major offenders are dealt with in the California prison system, low level, mentally ill offenders remain in local jail facilities. These offenders typically go untreated and may one day become a front page story.

More often than not, we are seeing the result of law enforcement officers dealing with individuals with mental illness. Unfortunately, these interactions can result in some form of physical force causing injury or death. An explosion in the availability of cameras and social media has drawn focus to this issue, sensationalizing tragedies that could have been prevented by better recognition and treatment of mentally ill offenders.

**Brief History & The Number of Those Needing Help**

Although mental illness is not a traditional police problem, it is important to understand that a number of the problems that are caused by or associated with people with mental illness often do become police problems. Approximately 54 million Americans suffer from mental illness and approximately two thirds do not seek treatment. Approximately 25% to 40% of that number will at some point be exposed to the criminal justice system. As such, the criminal justice system has become the default mental health system (Cordner, 2006).
In the late 1960s, the deinstitutionalization of mental health care created a vacuum for adequate mental health services. This created the criminalization of people with mental health disorders as law enforcement was called upon to deal with them. However, law enforcement was not equipped to handle this segment of society. Interactions with the police resulted in the mass institutionalization of mentally ill offenders in the correctional system (National Alliance on Mental Illness, 2004).

Beyond issues of adequate care for the mentally ill, forcing the police to be the agency of first resort diverts valuable resources from traditional law enforcement activities. Given budgetary cuts in the mental health systems, however, public safety must fill the gap (National Alliance on Mental Health, 2004). Many times, filling the gap means dealing with whatever criminal offense the mentally ill person has committed without regard for the underlying cause. This can leave this population incarcerated and subsequently released without treatment.

In a 2011 nationwide survey of senior law enforcement officials conducted by Michael Biasotti, data shows that officers most often respond to non-violent, low level mentally ill individuals as opposed to a violent mentally ill individual. Nonetheless, there is a significant impact on injury and/or death of law enforcement personnel. More than 60% of experts believe “at least 1 in 5 individuals who have injured or killed an on-duty law enforcement officer was experiencing psychiatric crisis at the time.” (Biasotti, 2011). A responsive mental health system would meet the needs of those in crisis and save the lives of police officers who are now required to respond.

Deviation from the Norm

Local police agencies never wanted to be in the business of monitoring offenders on probation and parole. Inadequacies of those systems, along with a budget crisis, led to legislation that changed the law enforcement world. The State of California passed Assembly Bill 109, known as prison realignment, to relieve the state’s prison overcrowding problem. In 2011, Governor Brown characterized the realignment as necessary because “cycling these offenders through state prisons wastes money, aggravates crowded conditions, thwarts rehabilitation, and impedes local law enforcement supervision.” The reality of this legislation was the placement of responsibility on local law enforcement to supervise without the proper resources. In a 2013 meeting of Southern California police chiefs, prison realignment was described as shifting responsibility without funding, and transferring the supervision of these offenders into a local system that was already overburdened (Day, 2013).

With this in mind, it is not a stretch to believe that similar legislation could force local law enforcement to deal with mentally ill offenders in much the same way, shifting responsibility for monitoring and treatment to the local jurisdiction as state mental health systems are overwhelmed much like the prisons. Hospital beds are being replaced by jail cells as state systems continue to reduce available beds due to pressure from insurance companies (Szabo, 2015). Could such legislation be the watershed moment that brings the mental health problem home? How will local jurisdictions find the authority, expertise and funding to handle it?

In a Los Angeles Daily News article, Christina Villacorte (June 2014) discussed the number of incarcerated individuals in the Los Angeles County Jail diagnosed with
mental illness – one in five – most of whom have drug related offenses and/or quality of life crimes (transient life style). Villacorte noted that programs are being put into place to assist mentally ill offenders in seeking treatment rather than incarceration by applying for benefits under the Affordable Care Act and Medi-Cal. In spite of this, there are still a significant number of persons in custody in need of mental health treatment. The article also discussed the importance of partnering mental health care practitioners with law enforcement officers to divert mentally ill individuals to a health care facility in lieu of jail.

New and creative ways of thinking holds some promise. Using provisions of the Affordable Care Act for funding, developing formal partnerships with non-profit agencies specializing in mental health, and providing specialized training for law enforcement personnel can be key factors to address the issue. But there will be many challenges along the way. New spending, new ideas and new programs may be met with resistance, and existing law may prohibit us from accessing information or requiring participation in the programs.

**Calculating costs and Capturing data**

To better address the issue at hand, we must have a clear understanding of the current impact mental health related calls for service have on any one agency. Imagine the hours and dollars spent responding to disturbances caused by mentally ill persons, and the subsequent time spent conducting bookings, medical clearances and intakes at mental health facilities. For example, the Los Angeles Police Department reported that in 1996 they spent about 28,000 hours a month on such calls. The New York Police Department indicated they respond to this type of call every 6.5 minutes (National Alliance on Mental Illness, 2005).

As such, it is imperative to quantify the areas in which we are spending our resources. While the idea of training personnel, developing formal partnerships with local mental health providers and perhaps hiring in-house professionals seems cost prohibitive, the cost compared to the draw on resources due to repeated calls with no long term solution may not be that different. For example, “A jail diversion program in Massachusetts serving 200 mentally ill people — at an initial cost of $400,000 — saved $1.3 million in emergency health services and jail costs, according to the Massachusetts Department of Mental Health.” (Szabo, 2015)

Not all agencies are able to collect this information. To help, data should be captured on specific problems, incidents and investigations; including persons with mental illness, mental health emergency, or emotionally disturbed person as key words for future study. This will allow for an accurate picture of who, what, when and where these types of calls for service originate.

A thorough analysis will allow a law enforcement agency to know the extent of the problem, determine the amount and cost of resources, and identify emerging threats. This will allow them to prepare by strategically staffing an appropriate number of specially trained personnel and services to deal with such interactions and issues. Being able to show the potential cost savings, like those in Massachusetts, will be one key to success. Another key is to train those who come into contact with persons in mental health crises no matter how much subsequent support is created.
Training and Partnerships for Law Enforcement

It is imperative that police officers receive more in depth training to better identify situations involving persons with mental disorders. This would allow for de-escalation of a potential violent outcome. This, coupled with a more aggressive community partnership approach would improve contacts and potentially avoid use of force incidents. Such training should be mandated and funded by the state and should include not only peace officers, but also dispatchers and custody personnel.

Accomplishing the recommendations above will take more than just state funding. Identifying sources of instruction and services will be essential. Accomplishing this will require collaboration with other entities in effective and proactive solutions. Such collaboration must include other law enforcement agencies for sharing of resources, especially in smaller jurisdictions. This would include having officers trained in dealing with mental illness who can be shared between multiple agencies. In addition, trained psychologists should either be employed, contracted or recruited as volunteers working alongside officers in dealing with such individuals.

The City of Burbank Police Department, for instance, has partnered with the Los Angeles County Department of Mental Health to growing problems involving the mentally ill. This program partners a sworn officer with a clinical psychologist to address, in a permanent way, persons causing repeated calls for service, from intake to following their progress through the mental health and court systems.

Also, law enforcement agencies should partner with local non-profit agencies that provide mental health services. Such partnerships would match the services, consulting and housing of the mentally ill with those in need. Didi Hirsch is a non-profit mental health services organization in the Los Angeles area with one office located in the Glendale, CA. The Glendale Police Department has an informal relationship with them to receive training and provide a law enforcement perspective. This situation is ripe for conversion to a formal agreement to provide assistance if legal and financial concerns can be overcome.

Again, these potentially successful programs may be impeded by current laws prohibiting information sharing along with patient rights. The government, especially law enforcement, cannot intrude into medical issues. A close partnership in combination with the proper legislation, however, would allow these groups to help identify potential threats and perhaps avoid a tragedy.

Legislative action as a key to success

One major obstacle in accomplishing the approaches cited are state and federal privacy laws. These protections on health information in their current form make it impossible to successfully deal with emerging threats, since caseworkers and mental health professionals cannot share valuable information with law enforcement. Mental illness legislation will be necessary to empower local jurisdictions to identify, track and provide assistance to the potential criminally mentally ill.

Aside from information sharing, new legislation should also address the ability of the courts to use mental health treatment as an alternative to criminal prosecution and incarceration. Much like the drug courts use of diversion programs to seek treatment as a way of preventing future violations, mental health treatment
could be used in a similar way. Even if the possibility of altering existing privacy laws is insurmountable, creative solutions such as offering diversion in exchange for full access to medical records could be an alternative. The goal is to address the core issue as opposed to the symptoms or results.

In light of news events involving alleged invasions of privacy by government agencies like the National Security Agency, privacy advocates will likely oppose legislation that would open such records to law enforcement. Even local governments may oppose legislation that mandates new programs. State legislation to address mental health issues is currently underway in several states including Colorado, Oregon and Ohio. Critics say that the legislation unfairly targets the mentally ill and is a knee jerk reaction to sensational incidents (Goode, 2013). But these critical incidents may be the unfortunate catalyst needed to prod legislators into action as the push for additional mental health laws is often driven by political expediency. “Mental health proposals draw support from both Democrats and Republicans, in part because, unlike bans on semiautomatic weapons or high-capacity magazines... they do not involve confrontation with gun rights groups like the National Rifle Association.” (Goode, 2013).

California law enforcement associations should lobby legislators to bring forward mental health bills to manage the criminally mentally ill. Partnering with mental health advocates would bring guidance and legitimacy to such efforts. Some early efforts are already being made. Assembly member Marie Waldron introduced Assembly Bill 59 which would allow the court to order a person to obtain assisted outpatient treatment for an initial period not to exceed 12 months if requisite criteria are met. Los Angeles County District Attorney Jackie Lacey has convened a summit on mental illness diversion programs (Vallacorte, 2014). Without a sustained dialog, though, moves like these may be met with resistance from mental health advocates.

**Conclusion**

There is no shortage of tragic events involving interactions between law enforcement and the mentally ill. There are also repeated events involving mass casualties that law enforcement must respond to. Such events not only impact the lives of the victims and mentally ill suspects, but also the lives of the involved law enforcement personnel, the families of all parties and the communities. In the sensational violent encounters, the public and media always ask if these offenders could have or should have been identified and treated.

There is a fear and anticipation of future violence, and also the need for partnerships and legislation to prevent it. It is in the best interest of law enforcement and the California Legislature to address this situation before another tragic event occurs. New collaborations, legislation and advanced training will blaze a path into new responsibilities and methods to keep our communities safe. The powerful law enforcement lobbies must carry the torch to light that path.

**References**


Identifying the Ideal Law Enforcement Candidate:
The Use of Biological Profiling to Hire the Next Generation
of Law Enforcement Professionals

By: Deputy Chief Jon Lewis, Newport Beach Police Department

The challenge of hiring and retaining individuals in law enforcement is nothing new. Neither is the screening and background process used by most agencies to assess the suitability of candidates. Even as the police hire new recruits, individual careers are cut short for the same medical reasons year after year. As it currently stands, there is no objective assessment to determine the physical suitability of an individual to function effectively over time in law enforcement career. At the same time, the long-term costs for those who struggle to maintain health or fitness are substantial.

The costs associated with disabilities acquired by individuals as a result of service in law enforcement are significant. In Orange County, the largest police and fire agencies have paid more than $55 million in wages over the past 5 ½ years to public safety workers on leave because of job-related illnesses or injuries. This figure was discovered in the analysis of disability leave data from the largest police and fire departments in Orange County for the period from January 2007 to June 2012 (Saavedra 2012). Rather than remain content with the status quo, there are emerging technologies that may allow law enforcement to more effectively select those who would excel in a police career. Given the choice, should agencies ensure the people they hire would not suffer unduly from the rigors of the profession? Through biological profiling, that choice may be made in the very near future.

What is Biological Profiling?

Biological profiling is a process in which unique, individual characteristics of a person’s DNA are identified (“What is genetic,” 2015). This biotechnology has proven effective for diagnostic and forensic purposes. Biological profiling is commonly known as genetic fingerprinting and has progressed to the point that many illnesses can be accurately predicted. The question becomes, how do we in law enforcement use this technology to better fill our ranks with people physically suited for the demands of a career in police work? Further, while this technology

Deputy Chief Jon Lewis currently serves with Newport Beach Police Department as the Detective Division Commander. In addition to his professional duties, Deputy Chief Lewis has authored two university level text books in criminal justice and is an adjunct faculty member at Golden West College’s Criminal Justice Training Center. He holds a Master of Arts in Criminal Justice from Chapman University and is graduate of the Sherman Block Supervisory Leadership Institute as well as the Commission on Peace Officer Standards and Training Command College.
may be effective, how do we address the many ethical and legal challenges to its use?

Biological profiling has significantly advanced in recent years, and holds promise as a tool to improve health and overall well-being. Biological profiling research has demonstrated correlations between a person’s biological make up and a pre-disposition or vulnerability to certain physical conditions and diseases. For example, Post-Traumatic Stress Disorder (PTSD) continues to be a factor to retain personnel in policing. Analysis of an individual’s risk factor for this condition during the pre-employment screening process may provide important information during the decision making process. The same holds true for other conditions currently considered as presumptively caused by employment in law enforcement (e.g. heart disease, high blood pressure, lower back impairment, etc.). While it may be a valuable tool for employment screening, that does not mean there are not serious considerations before recommending its use.

There are a number of ethical and moral implications related to the use of biological profiling. Is it morally right to prevent an individual from serving in law enforcement based on a prediction of physical wellness? One could stand on solid ground by asserting that protecting an individual from undue harm is a priority. In fact, however, there will always be people that will not manifest conditions predicted through profiling. Profiling identifies those at risk. This means that the profile does not always forecast the eventuality of harm. Despite advances in medical technology, character must be a factor considered when assessing law enforcement candidates. Should an individual with strong character be excluded from law enforcement due to a potential physical issue identified during genetic screening? In the alternative, if agencies have the ability to identify an individual condition that could be worsened by the rigors of a law enforcement career, is there a moral obligation to the candidates? Equally as important is whether or not it can be used legally in the employment process.

According to the USEEOC, Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), which prohibits genetic information discrimination in employment, took effect on November 21, 2009. An employer may never use genetic information to make an employment decision because genetic information is not relevant to an individual’s current ability to work (Trottman 2013). Currently, employers are legally prohibited from using genetic information to screen potential job applicants. Although legal issues are important, the morality of using biological profiling is also a significant concern.

**Ethical Implications**

Let’s explore this issue through a realistic scenario of a fictional police officer candidate and law enforcement agency. This story is about Jane, who by all appearances is the ideal fit for law enforcement. She was raised in a family that values service, and has spent many years volunteering with her church in the local community and abroad. She is a recent graduate of a local university where she studied public administration and was a standout athlete on the women’s
soccer team. She is bright, articulate, physically fit and of strong moral fiber. Her background reflects good judgment and responsibility. Jane has always been interested in law enforcement as her life’s work. She has an uncle she admires that has spent a career in the field. They have spent many hours together learning about what it is like to be a police officer.

The day has come for her to step into her dream and apply for a job in law enforcement. Jane learns that the police department in her home town of Ocean City is hiring entry level police officers. As expected, she passes the written, physical agility and interview portions of the test with flying colors. Next is the medical screening phase. Jane meets with a nurse that explains to her that a blood test will be administered for analysis by genetic profilers to determine her suitability for this position. Jane objects.

Jane understands genetic profiling. She had studied the subject as part of her undergraduate course work. She cannot understand why she could potentially be disqualified for a medical condition that may or may not ever manifest itself. This issue is bigger than just a job to her. She believes it is fundamentally unfair; whether or not she passes the screening is not the issue. She cannot continue and sacrifice her morals for a job. Of course, she has other options, just as many other high quality candidates like Jane do. Jane decides to take her talents, education and potential into another avenue of public service. A career in education doesn’t require a genetic screening test. Her next stop is the Ocean City High School District, where there are openings for teachers.

**Practical Implications**

From a practical standpoint, hiring individuals for careers in law enforcement is incredibly difficult. The standard in the majority of agencies is one candidate hired for every 100 applications. The police department in Jane’s Ocean City illustrates the challenges of adding one more layer of screening to an already burdensome process. Chief Mesa is in charge of the Ocean City Police Department that just rejected Jane. In recent years, his department has suffered layoffs, downsizing and the loss of many quality officers to other agencies. While the community is a relatively safe, crime has been on the rise, with a recent spike in gang related homicides. By all accounts, this crime increase is directly related to the department’s staffing woes. They have been doing more with less for years, and now are doing less with less. After much convincing, Chief Mesa was able to obtain Council funding for new positions and the hiring process began.

Chief Mesa’s applicant pool is already diminished due to the financial challenges his agency has faced. Other agencies pay more and don’t have the same financial instability. As seen with Jane, the already limited applicants in the process are being dwindled down even more by the use of genetic screening. For every 1000 applications received, one makes it to the interview with Chief Mesa. At this rate, staffing his department to appropriate levels is becoming nearly impossible. Crime continues to rise. Chief Mesa directs his personnel officers to hire anyone that can pass the genetic profiling test. The other background standards (theft, drug use, credit history) will be changed or in some cases disregarded. Chief Mesa
needs “boots on the streets” and lowers the department’s standards in other areas to accomplish this. In his heart, he hopes he is doing the right thing. He already knows that, without increasing staffing, his city is at increasing risk.

**Potential Implications – The Upside**

If all these concerns exist with the use of genetic screening, why bother? Is the juice worth the squeeze? The answer to these questions is “yes.” Dr. Michael Synder, who used genetic profiling to diagnose his own diabetes, argues “I live by the motto that more information is always better than less information” (Sukel, 2013). Let’s explore the scenario in which Chief Mesa “stays the course.”

Despite the short term challenges, the chief commits to seeing this process through. The Ocean City Police Department prides itself on hiring only the “best and brightest” candidates. The department has embraced the use of technology and a data driven approach to hiring police officers, and genetic profiling has become an integral part of this process. The Ocean City Police Department has found that using this technology has allowed them to identify candidates during the hiring process that have the greatest likelihood to succeed over many years in a law enforcement career. It has also allowed them not to hire those that will cost the city millions in lost productivity over the years.

Since the adoption of biological profiling into the background investigation process, the Ocean City Police Department has seen drastic reduction in workers compensation claims. Industrial disability retirements have all but ceased to exist. The few unscheduled retirements were due to unforeseeable events the screening process could not predict, such as job-related incidents like traffic collisions, officer involved shootings and physical altercations. Event specific occurrences are the common denominator rather than chronic medical conditions. After all, police work is a contact sport. These risks come along with the job itself. The Ocean City Police Department has successfully used genetic screening to improve hiring decisions and the result has been a significant cost savings to the city as well as increased ability to maintain desired staffing levels.

**What’s a Police Department To Do?**

As with the implementation of most new technologies, there are the moral, legal and ethical components with which to be concerned. Objectively, the process of genetic profiling exists now in a reliable, state of the art format. It is being used effectively and continues to evolve and improve. Many experts in the medical community see it as a “holy grail” in treating illness and improving health. Certainly, the ethical considerations are not the same when a medical professional uses this technology to aid in the treatment of a patient.

This is not the case for employers using this technology for making decisions about who will work for their organization. This is the real, practical hurdle that must be overcome before agencies will ever be allowed to use biological screening in the hiring process. As it stands now, genetic screening is prohibited in the use of employment by law (Trottman 2013). There is also a practical reason against using this technology. There may not be enough candidates that pass the
screening to fill all the available positions. If that is the case, then do workers compensation costs related to candidates identified vulnerabilities just become a necessary cost of doing business? This question will only be able to be answered when biological profiling is actually implemented in this manner.

The other ethical concern of equal importance centers on the moral obligation agencies have to their members. Law enforcement is an inherently dangerous business, unlike the majority of professional endeavors available. It requires a high level of physical and mental fitness to perform successfully over a long period of time, such as the traditional thirty-year career. If a candidate has a risk factor that will be aggravated by the rigors of a career in law enforcement, then that candidates talents are best applied in another professional discipline.

**Conclusion**

As an organization, there is a moral obligation to hire the best candidates, with the most objective qualities indicative of high performance in this extremely challenging environment. By not considering or ignoring potential risk factors of individual candidates to meet hiring needs is not responsible for the agency or the candidate. All things considered, the objectively reasonable and prudent course of action is to implement biological profiling. The best decisions are the most informed decisions. This process allows law enforcement employers to make decisions objectively that support the health of the agency and the individuals it comprises.

**References**


Identifying and Combatting Organizational Leadership Toxicity

By: Colonel Steven R. (Randy) Watt
Mitch Javidi, Ph.D.
Anthony H. Normore, Ph.D.

“There are plenty of small-minded men who, in times of peace, excel in detail, are inexorable in matters of equipment and drill, and perpetually interfere with the work of their subordinates... They thus acquire an unmerited reputation and render their service a burden, but they, above all, do mischief in preventing the development of individuality and in retarding the advancement of independent and capable spirits. When [crisis] arises, the small minds, worn out by attention to trifles, are incapable of effort, and fail miserably. So goes the world.”
-Archduke Albert (1559 –1621)

There are a variety of issues that have been shown to plague the relationships between leaders and their subordinates in a variety of professional disciplines and organizations. These disciplines range from public safety and aviation industry to colleges, universities, schools,

Steven R. “Randy” Watt is a Colonel in the Utah National Guard. He has 33 years of active duty and Guard service experience. Randy is a retired Assistant Chief of Police with the Ogden, Utah, Police Department, where he served for 32 years. Randy holds a Bachelor of Science degree, a MBA, and a Master of Strategic Studies degree from the U.S. Army War College, and is also a graduate of Session 191, FBI National Academy.

Dr. Mitch Javidi is an honorary member of the US Army Special Operations Command and the Co-Founder of the International Academy of Public Safety and the Criminal Justice Commission for the Credible Leadership Development. He holds a Ph.D from University of Oklahoma. As a globally recognized leader, Dr. Javidi has trained at the Joint Special Operations Command “JSOC” and the US Army Special Operations Command “USASOC.”

Dr. Anthony “Tony” H. Normore holds a Ph.D. He is a professor and Department Chair at California State University Dominguez Hills. Tony is a graduate professor of law, ethics, and leadership in the Summer Leadership Academy at Columbia University (New York), and has served as an instructor for incarcerated men. More recently, he collaborated with Los Angeles Police Department in developing the Credible Leadership Program. Dr. Normore is the Chairman of the Criminal Justice Commission for Credible Leadership Development at the International Academy of Public Safety. Follow him on Twitter at @AHNormore.
and churches. These issues can lead to emotional exhaustion (Miner, 2007; Scott, Normore & Javidi, 2014), stress (Irwin & Normore, 2014), and familial problems (Darling, Hill & McWey, 2004) – to name a few. The issues may manifest in a variety of ways including but not limited to: openness of organizational membership, organizational involvement, organizational trust, community generosity and support; and the role of leadership within the organization.

The purpose of this article is to discuss the impact of leaders who breed toxicity, and how the organization can position itself to prevent toxic leaders from entering its doors. First, we operationalize the term toxic leadership. Then, we present the symptoms and ramifications of toxic leadership. We conclude by offering pragmatic suggestions concerning evidence-based effective practices in dealing with toxic leadership on an individual and organizational level.

Together, we have over 32 years in law enforcement, 33 years in the military, 62 years in academia, and 52 years in consulting. The three of us have had the pleasure of working with, and for, some of the finest leaders one could imagine. Those leaders, men and women of unimpeachable character and exceptional interpersonal skills, exemplified the traits and values necessary for effective leadership (Ellis & Normore, 2014). Observing them accomplish their organization’s mission while taking care of their personnel, even under stressful tactical operations and combat engagements (e.g., law enforcement, military) or cooperating with psychological services and crisis intervention teams in determining mental health of faculty or students (e.g., academia) was a high point in our own leadership development process.

We have also had the experience of working for those of an opposite nature during our careers. These are the men and women whose sole focus is the furtherance of their own careers, usually at the expense of others, and often to the detriment of personal relationships and organizational health. In our experiences these “pseudo” leaders left a wake of destruction behind them, leaving incumbent leaders to repair the damage, create positive climate dynamics and attempt to rebuild the organization. When the results of their ruinous leadership came to light, usually after they had moved on, many were left to wonder, “How could possibly have done this much damage without it being noticed?” Essentially, their leadership product was toxic to the mission of the organization and to the organization’s membership.

**Defining Toxic Leadership**

Toxic leadership is easier to identify than to define. It is crucial to measure the effects of a toxic workplace against the impact on people’s lives in terms of stress, de-motivation, under-performance, diminished confidence and the effect of toxicity on growth. Otherwise, our working experience and a large percentage of our lives will be challenging and stressful. It does not take long for a workplace to become toxic. The spirit of organization comes from the top. This stands to reason that the culture becomes “toxic” when leadership sets unrealistic goals,
The leadership of any organization drives culture and vision. If done in a vacuum or without care for its best asset (i.e. members), the organizational dynamics can quickly turn toxic.

According to the Center for the Study of Organizational Change (2012), these dynamics appear in various forms, but are generally found in organizations that have top-down high control leaders who have split the organization into three subgroups. There are those who disingenuously support (i.e. sometimes known as “brown-nosing”) “in order to receive perks, promotions, pay increases and better offices” (p. 7.). There are those who comprise the out group “who have questioned what is going on with some of the leader’s more toxic decisions and tactics...they often find themselves banished to a windowless basement…” (p. 7). Then, there is “a large number of employees in the third group who by witnessing the dangerous nature of what is happening choose to hide out within the organization...they try to avoid being drawn into these toxic organizational dynamics by just doing their job and absorbing as near as possible without abuse and negative impacts on their work and performance that arise from the leader’s actions” (p. 7). According to Zhu (2015), culture is the DNA of any organization. A toxic organizational culture is rampant when poor leadership is evident, lack of professionalism is prevalent, apathy is wide-spread, a lack of trust permeates its heart, and accepting the status quo is the norm.

One definition states, “Toxic leadership is when leaders ... infringe [upon] the leader-follower relationship, abusing their power as leaders to the detriment of the people they are leading; and when these ... leaders move on, they leave the people who were within their sphere of influence worse off than when they originally started leading them.” (See Toxic Leadership, para. 1) Rather than a true definition, this is a description of behaviors and results. Lacida (2012) defines toxic leadership as “leadership brought about by a lack of self-awareness, lack of self-control and confidence, all of which are seeded by self-interest. As a result, a toxic leader’s subordinates don’t like him or her. Toxic leaders care all about themselves. They only think of their own feelings and disregard those of others. Somehow, toxic leadership is related to [an] autocratic leadership style.” (p. 1) Again, this definition is a recitation of a list of behaviors versus a true definition. Even the United States Army, long famed for its prodigious use of manuals and documents, struggles to define toxic leadership, relying on descriptive behaviors. Lacida further asserts that “Toxic Leaders act aggressively and treat others terribly. They distribute tasks in a restrictive manner and even try to intimidate their subordinates in order to preserve constricted control.”(p. 1).

The term, “Toxic Leaders” was first penned by Marcia Whicker, in her 1996 book, “Toxic Leaders: When Organizations Go Bad.” She described toxic leaders as “… maladjusted, malcontent, and often malevolent, even malicious. They succeed by tearing others down. They glory in turf protection, fighting and controlling, rather than uplifting followers.” (p. 11). Consequently, we identify toxic leaders not by a definition, but by behaviors and the negative impact on our agencies. In a 2010
U.S. Army study conducted by J.M. Bird at the Army War College, the Army’s senior leadership school, Army subordinate leaders characterized toxic leaders as those whom are “focused on visible short-term mission accomplishment. They provide superiors with impressive, articulate presentations and enthusiastic responses to missions. But they are unconcerned about, or oblivious to, staff or troop morale and climate. They are seen by the majority of subordinates as arrogant, self-serving, inflexible, and petty.” (Bullis & Reed, 2003, p. 2). According to numerous studies across a wide field of organizations, both military and civilian, toxic leader behaviors included, avoiding interaction with subordinates and employees, aggressive behaviors directed at subordinates, denigration of subordinates, hoarding of information and job tasks, blaming others for issues affecting the toxic leader, being overly critical of work well done by subordinates, and coercive and intimidating behavior (Steele, 2011), “Toxic leaders view their subordinates as disposable pieces of equipment rather than people, have a destructive personality or interpersonal skills that produce a hostile work climate, [and] are motivated primarily by self-interest. . . the process for toxic, or destructive leaders involves, dominance, coercion, and manipulation, as opposed to constructive leaders who use influence, persuasion, and commitment.” (p. 2).

**Symptoms and Effects of Toxic Leadership**

How do we recognize the presence of toxic leadership, either in our organizations or ourselves? In their 2002 study on organizational health, Duffy, Ganster, and Pagon determined, “Outcomes [of toxic leadership] include erosion of trust, reduced effectiveness, reduced commitment and retention, break-downs in essential communications, and diminished follower wellbeing” (cited in Steele, 2011, p. 2) Research in corporations found that performance-related outcomes in organizations where toxic leadership was identified included negative organizational functioning, negative impacts on corporate finances, counterproductive work behavior, work withdrawal behaviors and excessive turnover, greater likelihood of an atmosphere conducive to sexual harassment and hostile work environments, decreased job satisfaction, and decreased psychological wellbeing.

The impact a toxic leader has on subordinate performance is greater for those who identify a strong sense of value and meaning in their jobs. Often, the best employees are those who are most likely affected (Steele, 2011, p. 2). Toxic leadership results in the loss of our best employees, resulting in a “brain drain,” where mediocre employees stay and star employees depart (Allcorn, 1991). The result is often a complacent, apathetic, under-performing department. Although sometimes interrelated, toxic leadership is different from poor or incompetent leadership. Toxic leaders promote themselves at the expense of their units and personnel without considering long-term effects. It is not that they are incapable of leading. It is the specific behaviors they exhibit that mark the difference between toxicity and incompetence. Where the incompetent leader does not know what to do, the toxic leader knows what to do but takes a counter-productive approach.
As evidenced above, toxic leadership results in less than desirable workplaces where enthusiasm, innovation, teamwork, and success are significantly stifled. In such workplaces, mediocrity, doing just enough work to get by, abounds. To return to Zhu (2015) there are five common characteristics of a toxic corporate workplace; abusive leadership resulting in coercion and intimidation as a leadership style; unprofessional behaviors such as unethical actions, discrimination, harassment, vulgarity, profanity, and rumor-mongering; apathy arising in the form of bad attitudes and a lackadaisical approach to work; lack of leadership commitment to high values and a failure to provide congruent examples of expected behaviors; and a visible lack of appreciation for workers, who are often viewed as readily replaceable pieces of machinery, rather than as important members of a cohesive team. It has been our experience that toxic leaders have a special ability for convincing those above them that they are excellent leaders accomplishing great things, all the while tormenting their subordinates. For whatever reason, the organizational leaders above the toxic leader are readily fooled until the damage to the organization is so extensive they cannot help but notice. We postulate that oftentimes the upper organizational administration is unaware due to their lack of leadership knowledge, understanding, training, self-awareness, and skill set necessary to recognize when others are toxic or incompetent. As a result, toxic leaders have often already moved “up and on” and the leader who followed them is the one greatly impacted.

**Understanding Toxic Leadership by Taking Individual and Collective Responsibility**

According to Kets de Vries (2006), an informed perspective can help us understand the “hidden dynamics associated with individual motivation, leadership, collusive situations, social defenses, toxic organizational cultures, “neurotic” organizations (that is organizations tainted by the particular neurosis of its top executive), and the extent to which individual and organization can be prisoners of their past” (p. 7). When toxic leadership is identified it is incumbent to take action. Part of the solution is for leaders to establish a positive leadership climate aimed at producing positive actions that ultimately lead to taking care of people. Effective leaders are not controllers whose commands must be unquestionably obeyed. Leaders should facilitate, inspire, and elicit from others their highest productivity and creativity. Positive actions include routinely engaging with subordinates, utilizing subordinates as team members, offering constructive, compassionate leadership which holds subordinates accountable for expected performance, while forbidding destructive behaviors such as intimidation, harassment, abuse, and ridicule. These actions must take the form of imperatives both individually and collectively.

**Individually.** First, it is important to enjoy working with and through people to get things done. We have rarely, if ever, known of an effective leader who did not truly enjoy working with people. Developing effective teams that accomplish the mission is rewarding. Learn to savor it. If you struggle when interacting with others, we urge you to master effective interpersonal skills. Coach Lou Holtz speaks of three leadership rules in order to be effective (1984): First, do what’s right. Second, do the best you can, and thirdly, treat people the way you’d like to be treated. Follow Coach Holtz’s rules and minimize being a toxic leader. Further, develop and commit to the accomplishment of
your organizational goals while simultaneously ensuring you take care of your people while they accomplish the goals. The measure of a good leader is not what he accomplishes, but what his team accomplishes. In the Army we say, “Mission First, Soldiers Always,” and we are committed to making that ring true. It is equally important to remember that it’s never “about me”. Zig Ziglar once said, “You can get everything in this world that you want, if you help enough people get what they want” (Ziglar, 1984, p. 26). The best way for you to succeed is for your department, division, unit or agency to succeed. Eliminate the words, “I,” “Me,” and “Mine,” from your lexicon. Replace them with “we,” “us,” and “ours.” Focus on the success of others and you will be surprised by the positive outcome.

**Organizationally.** After developing as a credible leader, you must create a culture within the organization that does not allow toxic leaders to develop. If you are two or more levels up in the organization, make sure you look “two down” before you decide on the capability of your subordinate leaders. Do not accept their word or even your own personal feelings about their leadership until you have reviewed the effects of their leadership on their subordinates. To do that, interact with those two levels down. YOU must build a culture of trust at all levels you are responsible for. Use a 360 degree review process when evaluating all leaders. Do not allow a unilateral performance review to hide toxicity within the organization. We offer the following suggestions when you find yourself working for a toxic leader:

- First, stay committed to your values. Do not allow toxicity to ruin your sense of purpose and your commitment to credible leadership.
- Second, do not react to the toxic leader. These leaders are organizational bullies. They are rewarded by causing unhappiness and discomfort in others. Act professionally no matter what they say or do to you. Maintain your integrity and your grace.
- Third, keep your emotions in check. Emotion is the enemy of good decision making. Do not allow their actions to fuel negative emotions and cause you to act out. Stick to your standards of ethical conduct only, no matter what.
- Fourth, where the forces of the positive side of human nature are at play, work should be approached in an open, inclusive, collaborative, trusting and respectful way.
- Fifth, positive energy and motivations can abound and a true since of sharing in a larger cause can emerge.

Toxic leadership exists in all organizations at one time or another. Based on the work of the Center for the Study of Organizational Change (COC, 2012), a moral and ethical quandary exists for those who would lead by the lighter side values and principles. Should you try with the almost certain knowledge you will be aggressed about your management style and possibly forced to leave? And what of those who work within the deviant subculture you have helped to create? They for a time do have the experience of an enlightened workplace. They may have risen and shined. Your area or organization may have achieved great work while at the same time provoking threat and envy on the part of others. When the leader leaves who has nurtured this exciting and productive workplace culture,
the culture usually collapses sometimes as rapidly as the new leader being named. The disillusionment and disappointment is often palpable. Those who continue to try to embrace the culture are usually singled out as people who need to be brought back into line. We are then left with the question of personal survival in the workplace. We have argued that toxicity needs to be prevented. Respect, professionalism and perseverance are the values that are the foundation of the Generation X (positive, innovative and digital) culture, guiding us in our daily work - how we relate to people and how we do business.

References


Holtz, L. (1984). First, do what’s right. Second, do the best you can, and thirdly, treat people the way you’d like to be treated. Address to the Hospital Corporation of America, 1984, video.


Miner, M. (2007). Changes in burnout over the first 12 months in ministry: Links
with stress and orientation to ministry. Mental Health, Religion & Culture 10:1, 9-16


YOU ARE COMMITTED TO EXCELLENCE

CPOA IS COMMITTED TO YOU

The California Peace Officers’ Association has developed progressive leadership in California law enforcement for nearly 100 years. CPOA’s membership program strives to develop your leadership skills through training, advocacy and networking. CPOA is...

YOUR SOURCE
for professional development and training

YOUR VOICE
on issues impacting law enforcement

YOUR CHOICE
for connections that make a difference throughout your career

START LEADING TODAY AT CPOA.ORG